

cinchona compound when mixed with the said proportions of alcohol and water did not compose tincture cinchona compound according to the test laid down in said United States Pharmacopoeia.

Adulteration of the fluidextract nux vomica was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopoeia official at the time of investigation, in that it yielded more than 2.63 grams of the alkaloids of nux vomica per 100 mls, to wit, a portion of the article yielded not less than 3.11 grams and the remainder yielded not less than 3.09 grams of the alkaloids of nux vomica per 100 mls, whereas said Pharmacopoeia provided that fluidextract nux vomica should yield not more than 2.63 grams of the alkaloids of nux vomica per 100 mls; and the standard of the strength, quality, and purity of the article was not declared on the container thereof. Adulteration of the said fluidextract nux vomica was alleged for the further reason that its strength and purity fell below the professed standard and quality under which it was sold in that each 100 cubic centimeters, to wit, each 100 mls of said article, was represented to contain 2.5 grams of the alkaloids of nux vomica, whereas each 100 cubic centimeters yielded more than 2.5 grams of the alkaloids of nux vomica.

Misbranding of the fluidextract nux vomica was alleged for the reason that the statement, "100 cc. of this fluidextract contains 2.5 Grams of the alkaloids of Nux Vomica," borne on the label, was false and misleading in that the said statement represented that each 100 cubic centimeters, to wit, each 100 mls, of the article contained 2.5 grams of the alkaloids of nux vomica, whereas each 100 cubic centimeters contained more than 2.5 grams of the alkaloids of nux vomica.

Adulteration of the tincture cinchona compound was alleged for the reason that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopoeia official at the time of investigation of the article; in that it yielded less than 0.4 gram of the alkaloids of cinchona per 100 mls, to wit, a portion of the article yielded not more than 0.294 gram and the remainder thereof yielded not more than 0.29 gram of the alkaloids of cinchona per 100 mls, whereas said Pharmacopoeia provided that tincture cinchona compound should yield not less than 0.4 gram of the alkaloids of cinchona per 100 mls; and the standard of strength, quality, and purity of the said article was not declared on the container thereof.

Misbranding of the tincture cinchona compound was alleged for the reason that the statement, to wit: "Tinct. Cinchona Comp. U. S. P." borne on the label, was false and misleading in that the said statement represented that the article was tincture cinchona compound which conformed to the standard laid down in the United States Pharmacopoeia, whereas said article was not tincture of cinchona compound which conformed to the test laid down in said Pharmacopoeia.

On October 6, 1926, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

15345. Adulteration of scallops and misbranding of oysters. U. S. v. William E. Walker and Wade H. Walker (J. C. Walker & Bros.). Pleas of guilty. Fine, \$75. (F. & D. No. 19788. I. S. Nos. 5753-x, 6190-x.)

On October 22, 1926, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William E. Walker and Wade H. Walker, copartners, trading as J. C. Walker & Bros., Exmore, Va., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about December 17, 1925, from the State of Virginia into the State of New York, of a quantity of oysters, which were misbranded, and on or about February 1, 1926, from the State of Virginia into the State of Pennsylvania, of a quantity of scallops, which were adulterated. The oysters were labeled in part: (Can) "Minimum Volume 1 Gallon Virginia Seaside Oysters," (tag) "From J. C. Walker, Exmore, Va."

Adulteration of the scallops was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in part for scallops, which the said article purported to be. Adulteration of the

scallops was alleged for the further reason that a valuable constituent of the article, to wit, scallop solids, had been in part abstracted.

Misbranding of the oysters was alleged for the reason that the statement, to wit, "Minimum Volume 1 Gallon," borne on the label, was false and misleading in that the said statement represented that each of the cans contained not less than 1 gallon of oysters, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained not less than 1 gallon of oysters, whereas each of the cans did contain less than 1 gallon of oysters. Misbranding of the said oysters was alleged for the further reason that they were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 12, 1926, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$75.

W. M. JARDINE, *Secretary of Agriculture.*

15346. Adulteration of scallops. U. S. v. Archie S. Doughty. Plea of guilty. Fine, \$50. (F. & D. No. 19771. I. S. Nos. 6191-x, 8010-x.)

On October 22, 1926, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Archie S. Doughty, Quinby, Va., alleging shipment by said defendant, in violation of the food and drugs act, on or about February 2, 1926, from the State of Virginia, in part into the State of Pennsylvania, and in part into the State of New York, of quantities of scallops, which were adulterated. The article was labeled in part: (Tag) "From Archie S. Doughty * * * P. O. Quinby, Va."

It was alleged in the information that the article was adulterated in that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in part for scallops, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, scallop solids, had been in part abstracted.

On November 12, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

15347. Adulteration of scallops. U. S. v. Stanley F. Wallace. Plea of guilty. Fine, \$50. (F. & D. No. 19786. I. S. Nos. 8103-x, 8104-x.)

On October 22, 1926, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Stanley F. Wallace, Quinby, Va., alleging shipment by said defendant, in violation of the food and drugs act, on or about February 2, 1926, from the State of Virginia into the State of New York, of quantities of scallops which were adulterated. The article was labeled in part: (Tag) "From S. F. Wallace * * * Quinby, Va."

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in part for scallops, which the said article purported to be. Adulteration was alleged for the further reason that a valuable constituent of the article, to wit, scallop solids, had been in part abstracted therefrom.

On November 12, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

15348. Adulteration of shell eggs. U. S. v. Rosser L. Mickelborough. Plea of guilty. Fine, \$50. (F. & D. No. 19770. I. S. No. 4970-x.)

On October 22, 1926, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Rosser L. Mickelborough, Bohannon, Va., alleging shipment by said defendant, in violation of the food and drugs act, on or about March 2, 1926, from the State of Virginia into the State of Maryland, of a quantity of eggs, which were adulterated. The article was labeled in part: "R. L. Mickelborough."

Examination by this department of 1 case containing 360 eggs showed 127, or 35 per cent, inedible eggs.